

***[NO MINUTES WERE GENERATED FOR  
WEDNESDAY, MAY 19, 2010,  
IN OBSERVANCE OF JUDICIAL BRANCH FURLOUGH.]***

881

**SUPREME COURT MINUTES  
THURSDAY, MAY 20, 2010  
SAN FRANCISCO, CALIFORNIA**

**S121552**      B161773 Second Appellate District, Div. 6      **MARTINEZ (MIGUEL) v.  
COMBS (CORKY N.)**

Opinion filed: Judgment affirmed in full

The judgment of the Court of Appeal is affirmed.

Majority Opinion by Werdegar, J.

-- joined by George, C. J., Kennard, Baxter, Chin, Moreno, and Corrigan, JJ.

**S166402**      B195337 Second Appellate District, Div. 3      **PEOPLE v. SUTTON  
(MICHAEL JEROME)**

Rehearing denied; opinion modified

**S166402**      B195337 Second Appellate District, Div. 3      **PEOPLE v. SUTTON  
(MICHAEL JEROME)**

Opinion modified - no change in judgment

**S182581**      A125292 First Appellate District, Div. 3      **CALIFORNIA ATTORNEYS,  
ADMINISTRATIVE LAW  
JUDGES, & HEARING  
OFFICERS IN STATE  
EMPLOYMENT v.  
SCHWARZENEGGER  
(ARNOLD)/(CHIANG)**

Review granted on the court's own motion

Review of the above-entitled action is ordered on this court's own motion.

The court directs the parties to serve and file briefs addressing the following issue:

Does the Governor have the authority to furlough the state employees at issue in this case by executive order?

Review in this case may be undertaken in conjunction with possible consideration of similar issues in cases that are pending in the courts of appeal.

For purposes of briefing and argument, Governor Arnold Schwarzenegger et al., are designated petitioners to this court and directed to serve and file a brief on the merits by Wednesday, June 9,

2010. The answer thereto is to be served and filed by Tuesday, June 29, 2010. Any reply is to be served and filed by Friday, July 9, 2010. (See California Rules of Court, rule 8.520(a)(6).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S180501**      D054245 Fourth Appellate District, Div. 1      **PEOPLE v. TILLIS (RODNEY LYDELL)**

Petition for review granted; briefing deferred (rule 8.512(d)(2))

Respondent's petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Zambia*, S173490 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Appellant's petition for review is denied.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S181567**      H032412 Sixth Appellate District      **PEOPLE v. CARRANCO (JESSE)**

Petition for review granted; briefing deferred (rule 8.512(d)(2))

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Hernandez*, S178823 (see Cal. Rules of Court, rule 8.512(d)(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S181379**      B221168 Second Appellate District, Div. 1      **SAWYERS (CHARLES ALLEN) ON H.C.**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division One, with directions to issue an order to show cause

The petition for review is granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division One. That court is ordered to vacate its summary denial dated March 3, 2010, and is further ordered to issue an order to show cause, returnable before the Los Angeles County Superior Court. The Director of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why the relief prayed for should not be granted. (See *In re Martinez* (2003) 30 Cal.4th 29, 32; *People v. Buckhalter* (2001) 26 Cal.4th 20, 33; *People v. Donan* (2004) 117 Cal.App.4th 784, 790, 792.) The return is to be filed on or before June 18, 2010.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S164388**      D050751 Fourth Appellate District, Div. 1      **PEOPLE v. JOHNSON  
(FRANK WILLIAM)**

Transferred to Court of Appeal, Fourth Appellate District, Division One, after hold  
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. McKee* (2010) 47 Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).) In order to avoid an unnecessary multiplicity of proceedings, the court is additionally directed to suspend further proceedings pending finality of the proceedings on remand in *McKee* (see *McKee, supra*, 47 Cal.4th at pp. 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. “Finality of the proceedings” shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S164711**      C055649 Third Appellate District      **PEOPLE v. RIFFEY (ROBERT  
JAMES)**

Transferred to Court of Appeal, Third Appellate District, after hold  
The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. McKee* (2010) 47 Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).) In order to avoid an unnecessary multiplicity of proceedings, the court is additionally directed to suspend further proceedings pending finality of the proceedings on remand in *McKee* (see *McKee, supra*, 47 Cal.4th at pp. 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. “Finality of the proceedings” shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S166167**      A117860 First Appellate District, Div. 4      **PEOPLE v. BOYLE  
(CORNELIOUS JOSEPH)**

Transferred to Court of Appeal, First Appellate District, Division Four, after hold  
The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. McKee* (2010) 47 Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).) In order to avoid an unnecessary multiplicity of proceedings, the court is additionally directed to suspend further proceedings pending finality of the proceedings on remand in *McKee* (see *McKee, supra*, 47 Cal.4th at pp. 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. “Finality of the proceedings” shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S166682**      F052703 Fifth Appellate District      **PEOPLE v. GARCIA (RUBEN)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. McKee* (2010) 47 Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).) In order to avoid an unnecessary multiplicity of proceedings, the court is additionally directed to suspend further proceedings pending finality of the proceedings on remand in *McKee* (see *McKee, supra*, 47 Cal.4th at pp. 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. “Finality of the proceedings” shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S169313**      H032438 Sixth Appellate District      **HERTZ CORPORATION v.  
WORKERS’  
COMPENSATION APPEALS  
BOARD (AGUILAR)**

Dismissal order filed

Review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S170831**      G039186 Fourth Appellate District, Div. 3      **PEOPLE v. FORCE (STEVEN  
DANIEL)**

Dismissal order filed

In light of the decision in *People v. McKee* (2010) 47 Cal.4th 1172, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S171429**      H032441 Sixth Appellate District      **PEOPLE v. TORRES (JUAN  
MATIAS)**

Transferred to Court of Appeal, Sixth Appellate District, after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Soria* (2010) 48 Cal.4th 58. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S175337** C055620 Third Appellate District**PEOPLE v. JOHNDROW  
(GLENN ARTHUR)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. McKee* (2010) 47 Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).) In order to avoid an unnecessary multiplicity of proceedings, the court is additionally directed to suspend further proceedings pending finality of the proceedings on remand in *McKee* (see *McKee, supra*, 47 Cal.4th at pp. 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. “Finality of the proceedings” shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S178140** G040608/G041245 Fourth Appellate District, Div. 3 **PEOPLE v. GLENN (JAMES ROY)**

Transferred to Court of Appeal, Fourth Appellate District, Division Three, after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of *People v. McKee* (2010) 47 Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).) In order to avoid an unnecessary multiplicity of proceedings, the court is additionally directed to suspend further proceedings pending finality of the proceedings on remand in *McKee* (see *McKee, supra*, 47 Cal.4th at pp. 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. “Finality of the proceedings” shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S178455** H033527 Sixth Appellate District**PEOPLE v. ROTROFF (DENIS KEITH)**

Transferred to Court of Appeal, Sixth Appellate District, after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. McKee* (2010) 47 Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).) In order to avoid an unnecessary multiplicity of proceedings, the court is additionally directed to suspend further proceedings pending finality of the proceedings on remand in *McKee* (see *McKee, supra*, 47 Cal.4th at pp. 1208-1210), including any proceeding in the Superior Court of San Diego County in which *McKee* may be consolidated with related matters. “Finality of the proceedings” shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S182402****BONNER (THADDEUS  
KEITH) ON H.C.**

Petition ordered withdrawn

Pursuant to written request of petitioner, the above-entitled petition for writ of habeas corpus is ordered withdrawn.

**S107502****CODDINGTON (HERBERT J.)  
ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus is denied.

All claims are denied on the merits.

Claims 4-B and 4-C are denied as untimely (*In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 765, fn. 6) and successive (*In re Robbins, supra*, 18 Cal.4th at p. 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547).

**S180316** A123199 First Appellate District, Div. 4**PEOPLE v. MAYORGA  
(RENE)**

Petition for review denied

**S180410****DePRIEST (TIMOTHY LEE)  
v. S.C. (PEOPLE)**

Petition for writ of mandate/prohibition &amp; application for stay denied

**S180476** G041327 Fourth Appellate District, Div. 3**PEOPLE v. PAZ (EFRAIN  
NEGRETE)**

Petition for review denied

**S180607** B210251 Second Appellate District, Div. 7**PEOPLE v. ROSALES  
(JOSHUA P.)**

Petition for review denied

**S180635** B222255 Second Appellate District, Div. 7**SMITHKLINE BEECHAM  
CORPORATION v. S.C.  
(JOHNSON)**

Petition for review denied

Corrigan, J., was recused and did not participate.

**S180644** B206611 Second Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. RABB (DAMEN)**

**S180784** B210852 Second Appellate District, Div. 5  
Petitions for review denied

**PEOPLE v. JUAREZ  
(JONATHON)**

**S180786** E047460 Fourth Appellate District, Div. 2  
  
Petition for review & publication request(s) denied

**PALM SPRINGS  
INVESTMENT COMPANY,  
L.P. v. CITY OF PALM  
SPRINGS**

**S180787** D055514 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. WILLIAMS  
(HORACE MANN)**

**S180871** B211006 Second Appellate District, Div. 7  
Petitions for review denied

**PEOPLE v. PEREZ (BOBBY  
MIGUEL)**

**S180919** B213013 Second Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. GOMEZ (IRVIN)**

**S180939** C058954/C059074 Third Appellate District  
Petitions for review denied

**PEOPLE v. PACHECO (LUIS  
FERNANDO)**

**S180948** E045598 Fourth Appellate District, Div. 2  
  
Petition for review denied  
Kennard and Moreno, JJ., are of the opinion the petition should be granted.

**PEOPLE v. TRUJILLO  
(ANGEL)**

<b>S180949</b>	A121528/ A123360 First Appellate District, Div. 3	<b>PEOPLE v. VENTURA (ROBERT ANTHONY)</b>
Petition for review denied		
<b>S180954</b>	A120746 First Appellate District, Div. 4	<b>PEOPLE v. BRAUN (BRUCE OLIVER)</b>
Petition for review denied		
<b>S180963</b>	F059564 Fifth Appellate District	<b>LOVRIEN (MICHAEL DEAN) v. S.C. (PEOPLE)</b>
Petition for review denied Baxter, J., was recused and did not participate.		
<b>S180974</b>	D055684 Fourth Appellate District, Div. 1	<b>PEOPLE v. BEAUDETTE (MICHAEL JOSEPH)</b>
Petition for review denied		
<b>S180977</b>	B213868 Second Appellate District, Div. 5	<b>PEOPLE v. JOHNSON (STACEY DENISE)</b>
Petition for review denied		
<b>S180979</b>	A118764 First Appellate District, Div. 2	<b>PEOPLE v. RODRIGUEZ (JOSE DANIEL)</b>
Petition for review denied		
<b>S181008</b>	G041189 Fourth Appellate District, Div. 3	<b>PEOPLE v. MITCHELL (TYREE MAURICE)</b>
Petition for review denied		
<b>S181047</b>	E047828 Fourth Appellate District, Div. 2	<b>PEOPLE v. CROSBY (LOUIS)</b>
Petition for review denied		
<b>S181055</b>	B207867 Second Appellate District, Div. 2	<b>PEOPLE v. KIRKORIAN (MICHAEL A.)</b>
Petition for review denied		



**S181060** E050231 Fourth Appellate District, Div. 2  
Petition for review denied

**SNOODY (EARL) ON H.C.**

**S181069** B212206 Second Appellate District, Div. 1  
Petitions for review denied

**PEOPLE v. VENTURA  
(VICTOR)**

**S181084** B220385 Second Appellate District, Div. 7  
Petition for review denied

**ENCISO (RAUL) ON H.C.**

**S181092** A122412 First Appellate District, Div. 4  
Petition for review denied

**PEOPLE v. AYALA  
(FAUSTINO)**

**S181100** E050282 Fourth Appellate District, Div. 2  
Petition for review denied

**ADLER (BRENT) ON H.C.**

**S181117** C064190 Third Appellate District  
Petition for review denied

**MARTEGANI (RICHARD) v.  
S.C. (PEOPLE)**

**S181121** B211461 Second Appellate District, Div. 8  
Petition for review denied

**PEOPLE v. POE  
(CHRISTOPHER)**

**S181133** B207909 Second Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. SIGALA (AMY  
DANIELLE)**

**S181145** B218010 Second Appellate District, Div. 3  
Petition for review denied  
The request for judicial notice is granted.

**HERMOSA BEACH, CITY OF  
v. S. C. (WINDWARD  
ASSOCIATES)**

<b>S181147</b>	B211169 Second Appellate District, Div. 8	<b>PEOPLE v. WEATHINGTON (ANTHONY)</b>
Petition for review denied		
<b>S181163</b>	B222586 Second Appellate District, Div. 6	<b>GARREN (PAUL) ON H.C.</b>
Petition for review denied		
<b>S181167</b>	A127825 First Appellate District, Div. 4	<b>KLEPPE (JOHANNA) v. S.C. (MARIN COUNTY)</b>
Petition for review denied		
<b>S181179</b>	B207067 Second Appellate District, Div. 3	<b>PEOPLE v. BANICH (ROCCO)</b>
Petition for review denied		
<b>S181192</b>	C064447 Third Appellate District	<b>SHIELDS (SUMMER JUSTICE) v. BOWEN (DEBRA)</b>
Petition for review denied		
<b>S181203</b>	B221041 Second Appellate District, Div. 5	<b>OUELLETTE (MARK) ON H.C.</b>
Petition for review denied		
<b>S181239</b>	B222666 Second Appellate District, Div. 7	<b>SPARKS (KEITH) ON H.C.</b>
Petition for review denied		
<b>S181250</b>	B210632/B213774 Second Appellate District, Div. 1	<b>KOMPANY LLC. v. ISRAYELIAN (MIKAYEL)</b>
Petition for review denied		
<b>S181289</b>	E050347 Fourth Appellate District, Div. 2	<b>PLANK (ROGER) ON H.C.</b>
Petition for review denied		

**S181293**      B208937 Second Appellate District, Div. 2  
Petitions for review denied

**PEOPLE v. YOGUPICIO  
(MANUEL D.)**

**S181302**      B221756 Second Appellate District, Div. 5  
Petition for review denied

**FRANKLIN (AARON) ON  
H.C.**

**S181367**      A127474 First Appellate District, Div. 1  
Petition for review denied

**WILLIAMS (ANTOINE) ON  
H.C.**

**S181377**      B212574 Second Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. AMIEL (MARK  
ADAM)**

**S181384**      A127771 First Appellate District, Div. 3  
Petition for review denied

**GUTIERREZ (PAUL A.) ON  
H.C.**

**S181392**      B221211 Second Appellate District, Div. 5  
Petition for review denied

**JACKSON (ALEX) ON H.C.**

**S181421**      A127396 First Appellate District, Div. 3  
Petition for review denied

**PATTEN (JASON) ON H.C.**

**S181438**      B213126 Second Appellate District, Div. 8  
  
Petition for review denied

**LOGIX DEVELOPMENT  
CORPORATION v. FAHERTY  
(J. ROGER)**

**S181447** B214467 Second Appellate District, Div. 2

Petition for review denied  
Moreno, J., was recused and did not participate.

**AUCIELLO (JOSEPH) v. LOS ANGELES COMMUNITY COLLEGE DISTRICT**

**S181456** D056869 Fourth Appellate District, Div. 1  
Petition for review denied

**DEERE (ARTHUR) ON H.C.**

**S181465** E050329 Fourth Appellate District, Div. 2  
Petition for review denied

**BROWN (LESLIE) ON H.C.**

**S181474** A127803 First Appellate District, Div. 1  
Petition for review denied

**SIMS (STANLEY J.) ON H.C.**

**S181477** A127732 First Appellate District, Div. 1  
Petition for review denied

**PENA (IGNACIO) ON H.C.**

**S181480** H030184 Sixth Appellate District  
Petition for review denied

**PEOPLE v. LAZOS, JR., (FRANK)**

**S181511** B213213 Second Appellate District, Div. 5  
Petition for review denied

**PEOPLE v. HERNANDEZ (JOSE)**

**S181527** D053413 Fourth Appellate District, Div. 1  
Petition for review & publication request(s) denied

**BAINS III (ROBERT REESE) v. GARDNER (STEPHEN P.)**

**S181531** D055058 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. KOETTER (KRISTOPHER J.)**

**S181533** F057118 Fifth Appellate District

Petition for review denied

**PEOPLE v. WANDICK (ERIC  
GENERAL)**

**S181534** B222931 Second Appellate District, Div. 6

Petition for review denied

**KITCHEN (THOMAS R.) ON  
H.C.**

**S181541** B223080 Second Appellate District, Div. 4

Petition for review denied

**CONCOFF (ANDREW) v. S.C.  
(AULL)**

**S181566** B222609 Second Appellate District, Div. 1

Petition for review denied  
Kennard and Chin, JJ., were recused and did not participate.

**DOW CHEMICAL CANADA  
ULC v. S.C. (FANDINO)**

**S181594** D056829 Fourth Appellate District, Div. 1

Petition for review denied

**RIOS (CARLOS) ON H.C.**

**S181600** A124534 First Appellate District, Div. 5

Petition for review & depublication request(s) denied  
The San Francisco Human Services Agency's Request for Judicial Notice is granted.  
The San Francisco Human Services Agency's Motion to Dismiss Request for Depublication and  
Petition for Review is denied.

**IN RE E.O.**

**S181649** F056623 Fifth Appellate District

Petition for review denied

**PEOPLE v. BECK  
(BENJAMIN LUTHER)**

**S181650**

Petition for writ of review denied

**MONKARSH (JEROME D.) v.  
PUBLIC UTILITIES  
COMMISSION (SOUTHERN  
CALIFORNIA GAS  
COMPANY)**

**S181662** D056746 Fourth Appellate District, Div. 1

Petition for review denied

**WILLIAMS (ROBERT) ON  
H.C.**

**S181694** B212361 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ANDERSON  
(JOHN SPOON)**

**S181699** D053900 Fourth Appellate District, Div. 1

Petition for review denied

**COHEN (FRED G.) v.  
AUTOMOBILE CLUB OF  
SOUTHERN CALIFORNIA**

**S181720** B222271 Second Appellate District, Div. 6

Petition for review denied

**VENTURA, COUNTY OF v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD (BASTIAN)**

**S181725** D055121 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HILL (JESSIE  
CLIFTON)**

**S181730** B212779 Second Appellate District, Div. 4

Petition for review denied

**UM CAPITAL LLC. v.  
OZERAN (LEON)**

**S181738** F056242 Fifth Appellate District

Petition for review denied

**PEOPLE v. GUERRERO  
(GABRIEL REYES)**

**S181755** G041207/G041389 Fourth Appellate District, Div. 3

Petition for review denied

**McNAMEE (GEORGE) v.  
CALIFORNIA COASTAL  
COMMISSION**

**S181761** B216408 Second Appellate District, Div. 7  
Petition for review denied

**IN RE J.P.**

**S181767** B216060 Second Appellate District, Div. 6  
Petition for review denied

**PEOPLE v. THOMPSON  
(NEIMAN MARCUS)**

**S181768** B217102 Second Appellate District, Div. 3  
Petition for review denied

**MILLE (FREDDY) ON H.C.**

**S181771** D055014 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. FRANCIS  
(GLENN)**

**S181774** B214520 Second Appellate District, Div. 4  
Petition for review denied

**FIMBRES (RICHARD) v.  
PACIFIC MARITIME  
ASSOCIATION**

**S181777** F057485 Fifth Appellate District  
Petition for review denied

**PEOPLE v. CARTWRIGHT  
(DERRICK ANTRON)**

**S181783** C064622 Third Appellate District  
Petition for review denied

**FULLER (HEIDI) v. BOWEN  
(DEBRA)/(BERRYHILL)**

**S181784** B209064 Second Appellate District, Div. 7  
Petition for review denied

**EVANS (NATHALEE) v.  
SHEEN (TRACY)/(HOWELL)**

**S181791** B212809 Second Appellate District, Div. 7  
Petition for review denied

**PEOPLE v. REAL (NICOLAS)**

**S181792** C059857 Third Appellate District

Petition for review denied

**PEOPLE v. WREN (JEFFREY CHARLES)**

**S181796** A127976 First Appellate District, Div. 2

Petition for review denied

**S3 MANAGEMENT & INVESTMENTS LLC. v. S.C. (DOYLE RESTAURANT GROUP FRANCHISE COMPANY LLC.)**

**S181800** C060590 Third Appellate District

Petition for review denied

**PEOPLE v. FRAZIER (SAMSON OC)**

**S181802** B195777 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BRYANT (CHEYVONNE ANTOINE)**

**S181803** A121647 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. PULIDO (ANTONIO TORRES)**

**S181806** H033633 Sixth Appellate District

Petition for review denied

**PEOPLE v. RIVERA (RAYMUNDO)**

**S181807** B217325 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. PEREZ (IGNACIO CARPIO)**

**S181812** B213693 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. FLORES (NESTOR)**



**S181815** C059009 Third Appellate District

Petition for review denied

**PEOPLE v. LACEY, JR.,  
(JOHN CALVIN)**

**S181827** A124719 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. HAWLEY  
(LEONARD RAPHAEL)**

**S181828** D054431 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. KISER (EUGENE)**

**S181831** H033474 Sixth Appellate District

Petition for review denied

**PEOPLE v. MACIEREZ  
(BLAKE ALBERT)**

**S181839** B212256 Second Appellate District, Div. 5

Petition for review denied

**RYVKIN (SUSAN) v. TERRY  
YORK MOTOR CARS LTD.**

**S181845** E047677 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. LABASTIDA  
(SAMMY LIZARRAGA)**

**S181860** E048180 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ADAMS (DAVID  
CHRISTOPHER)**

**S181867** F057344 Fifth Appellate District

Petition for review denied

**PEOPLE v. HAMMERS  
(BRANDON DEAN)**

**S181868** G041813 Fourth Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. OWENS (JIMMY)**

<b>S181875</b>	B215171 Second Appellate District, Div. 1	<b>LAW (PAUL MAU TRUONG) v. HSIEH (CHIEN KUO)</b>
Petition for review denied		
<b>S181877</b>	E050483 Fourth Appellate District, Div. 2	<b>LIGGINS (ORIENTHAL D.) v. S.C. (PEOPLE)</b>
Petition for review denied		
<b>S181889</b>	F055563 Fifth Appellate District	<b>PEOPLE v. SPELLMAN (TIMOTHY EDWARD)</b>
Petition for review denied		
<b>S181891</b>	A123784 First Appellate District, Div. 5	<b>SELTZER (MARGARET A.) v. BARNES (MICHAEL)</b>
Petition for review & depublication request(s) denied		
<b>S181895</b>	G041063 Fourth Appellate District, Div. 3	<b>PEOPLE v. BROWN (HERBERT JOHN)</b>
Petition for review denied		
<b>S181899</b>	G042458 Fourth Appellate District, Div. 3	<b>CHRISTINE A. v. S.C. (ST. JOSEPH HOSPITAL OF ORANGE)</b>
Petition for review denied		
Baxter, J., is of the opinion the petition should be granted.		
<b>S181900</b>	H033379 Sixth Appellate District	<b>PEOPLE v. WOODRICH (LONELL RAY)</b>
Petition for review denied		
<b>S181902</b>	G041419/G041980 Fourth Appellate District, Div. 3	<b>PEOPLE v. CORBIN (PAUL E.)</b>
Petition for review denied		

**S181904**      B214088 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. JOHNSON (JESSE  
TALBOT)**

**S181915**      A125395 First Appellate District, Div. 1

Petition for review denied

**IN RE B.L.**

**S181918**      F055853 Fifth Appellate District

Petition for review denied

**PEOPLE v. WRIGHT  
(SHANNON CURTIS)**

**S181921**      A127608 First Appellate District, Div. 2

Petition for review denied

**CADE (JERMAINE) ON H.C.**

**S181922**      D057068 Fourth Appellate District, Div. 1

Petition for review denied

**IN RE ELIZABETH R.**

**S181936**      D054497 Fourth Appellate District, Div. 1

Petitions for review denied

**PEOPLE v. DIAZ (DANIEL  
HERNANDEZ)**

**S182091**      C061010 Third Appellate District

**IN RE L.B.**

Request for review on the court's own motion denied; opinion decertified

The requests for an order directing depublication of the opinion in the above-entitled appeal are granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed March 16, 2010, which appears at 182 Cal.App.4th 1367. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

The court declines to review this matter on its own motion. The matter is now final.

**S176529**

**NILSEN (JOHN STEADMAN)  
ON H.C.**

Petition for writ of habeas corpus denied

**S176846****CANON (JUSTIN DALE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S177047****MAGEE (RUCHELL  
CINQUE) ON H.C.**

Petition for writ of habeas corpus denied

**S177345****SAMBRANA (NOEL R.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S177706****BLAINE (VANCE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S177715****SESSING (NATHAN  
GREGORY) ON H.C.**

Petition for writ of habeas corpus denied

**S177752****BROWN (DAVID LASHAY)  
ON H.C.**

Petition for writ of habeas corpus denied

**S177806****BUTLER (CLIFTON C.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S177843****ADAMS (ROGER RENARD)  
ON H.C.**

Petition for writ of habeas corpus denied

**S177845****KING (ANTHONY MARCEL)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

**S177852****CASTILLO (CHRISTIAN  
LEWIS) ON H.C.**

Petition for writ of habeas corpus denied

**S177859****BROWN (TYRONE M.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S177877****MAGEE (RUCHELL  
CINQUE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S177890****COX (ERNEST L.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S177903****WALKER (ANDREW  
WILLIE) ON H.C.**

Petition for writ of habeas corpus denied

**S177910****FLORES (ANGEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S177937****VANNORSDELL, JR.,  
(ERNEST) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S177939****CHAPMAN (KELVIN) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S177940****LOPEZ (ROBERTO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S177949****TORREZ, JR., (ADAM) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S177966****DOMINGUEZ (ARMANDO  
STEVE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S177972****MURILLO (RAMON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

**S178017****BAZIK (VALOD) ON H.C.**

Petition for writ of habeas corpus denied

**S178031****BOLO (WILLARD) ON H.C.**

Petition for writ of habeas corpus denied

**S178032****BASKERVILLE (BRUCE M.)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S178038****MINAS (DAGOBERTO) ON  
H.C.**

Petition for writ of habeas corpus denied

**S178039****JOHNSON (LaMERLE  
RONNIE) ON H.C.**

Petition for writ of habeas corpus denied

**S178068****HUNTER (DOMINIC D.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *In re Lessard* (1965) 62 Cal.2d 497, 503.)

**S178074****SMITH (JAMES E.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S178079****PARKER (LARRY ALLEN)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S178088****WERNER (BERNARD) ON  
H.C.**

Petition for writ of habeas corpus denied

**S178094****CHAVEZ (ALFRED) ON H.C.**

Petition for writ of habeas corpus denied

**S178095****CONTRERAS (RAMIRO) ON  
H.C.**

Petition for writ of habeas corpus denied

**S178105****SUNIGA (ALEX H.) ON H.C.**

Petition for writ of habeas corpus denied

**S178107****FUE (STEVEN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

**S178120****WELLS (ROBERT STEVE)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S178129****BALLARD, JR., (MOAT) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S178137****SERNA (FERNANDO) ON  
H.C.**

Petition for writ of habeas corpus denied

**S178154****WOODS (STEVE J.) ON H.C.**

The petition for writ of habeas corpus is denied.  
Baxter, J., was recused and did not participate.

**S178167****GARCIA (GILBERT) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S178205****TAPIA (MARIO FLORES) ON  
H.C.**

Petition for writ of habeas corpus denied

**S178230****BARBOSA (BRIAN  
KENNETH) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)



**S178245****ZERMENO (GREGORY) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S178251****SMITH (JAMES E.) ON H.C.**

Petition for writ of habeas corpus denied

**S178255****SANCHEZ (RAUL S.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S178257****MOORE (CHRISTOPHER  
CHAVELL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S178259****McCLOUD (CHARLES  
LAWRENCE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S178277****REQUENA (MARTIN) ON  
H.C.**

Petition for writ of habeas corpus denied

**S178297****HUFF (DERANTE LAMAR)  
ON H.C.**

Petition for writ of habeas corpus denied

**S178314****GARCIA (JESSE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S178335****HILL (MICHAEL DWIGHT)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S178371****THOMPSON (RANDOLPH)  
ON H.C.**

Petition for writ of habeas corpus denied

**S178374****PEREZ III (FRANK  
NICHOLAS) ON H.C.**

Petition for writ of habeas corpus denied

**S178423****BETETA (JOSE N.) ON H.C.**

Petition for writ of habeas corpus denied

**S178439****BASTIDAS, JR., (PABLO) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

**S178463****SMITH (JAMES E.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S178500****BROWN (PHILIP E.) ON H.C.**

Petition for writ of habeas corpus denied

**S178511****BARAJAS (JORGE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S178801****MURILLO (RAMON) ON H.C.**

Petition for writ of habeas corpus denied

**S179015****BROWN (PHILIP E.) ON H.C.**

Petition for writ of habeas corpus denied

**S179111****HARRISON (MICHAEL D.)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S179112****BONDURANT (TRAVIS LEE)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S179129****SARGENT (CORBY) ON H.C.**

Petition for writ of habeas corpus denied

**S179243****JOHNSON (DAVID WAYNE)  
ON H.C.**

Petition for writ of habeas corpus denied

**S179272****JOHNSON (OSHAY L.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S179329****MORAN-DEL TORO  
(ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

**S179336****FREDERICK (WILLIAM  
ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

**S180455****ALKEBU-LAN (SHAI) ON  
H.C.**

Petition for writ of habeas corpus denied

**S180467****BUENROSTRO (SALVADOR)  
ON H.C.**

Petition for writ of habeas corpus denied

**S180529****ROBINSON (JULIUS) ON H.C.**

Petition for writ of habeas corpus denied

**S180869****JIMENEZ (JAVIER) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S180889****ELESON (ERIC RICHARD)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)

**S180924****PARKER (LARRY ALLEN)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)

**S180978****VANNORSDELL, JR.,  
(ERNEST) ON H.C.**

Petition for writ of habeas corpus denied

**S180983****LEE (SEAN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S181295****ORTEGA (CARLOS  
ARMANDO) ON H.C.**

Petition for writ of habeas corpus denied

**S181598****YOUNG (JOHN C.) ON H.C.**

Petition for writ of habeas corpus denied

**S182029****GEBHARDT (CHRIS J.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S182138****GRAHAM (GROVER LEE)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S182311****BELL (HORACE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S182391****BELL (HORACE) ON H.C.**

Petition for writ of habeas corpus denied

**S182440****BELL (HORACE) ON H.C.**

Petition for writ of habeas corpus denied

**S181185****MENDEZ (JULIAN  
ALEJANDRO) v. S.C.  
(PEOPLE)**

Order: (dispositive)

The petition for writ of mandate, filed on March 22, 2010, is treated as a motion in *People v. Mendez*, S129501, and as such is granted in part. The Superior Court of Riverside County is directed (1) to order the Riverside County District Attorney to cause to be prepared a transcript of People's exhibit 115 and (2) to include such transcript in the clerk's transcript of the record on appeal in *People v. Mendez* (superior court no. RIF090811). (Cal. Rules of Court, rules 2.1040, 8.610(a)(1)(J).) In all other respects, the motion is denied.

**S181071**

A125834 First Appellate District, Div. 5

**STATE COMPENSATION  
INSURANCE FUND v. S.C.  
(ONVOI BUSINESS  
SOLUTIONS, INC.)**

Publication ordered (case closed)

As recommended by the Court of Appeal, the Reporter of Decisions is directed to publish the Court of Appeal opinion in the above-entitled matter in the Official Reports. (Cal. Rules of Court, rule 8.1120(a)(1).)

**S181303** G040815 Fourth Appellate District, Div. 3

**MID-CENTURY INSURANCE  
CO. v. VINCI INVESTMENT  
COMPANY, INC.**

Publication request denied (case closed)

**S181314** A125756 First Appellate District, Div. 4

**De VRIES (MICHAEL  
FRANCIS) ON H.C.**

Publication request denied (case closed)

**S181393** B220566 Second Appellate District, Div. 1

**ALEX SANITATION v. S.C.  
(PHARRIS)**

Publication request denied (case closed)

**S0055856**

**PEOPLE v. ROMERO  
(ORLANDO GENE) & SELF  
(CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel William D. Farber's representation that he anticipates filing appellant Christopher Self's reply brief by November 15, 2010, counsel's request for an extension of time in which to file that brief is granted to July 16, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

**S079656**

**BACIGALUPO (MIGUEL  
ANGEL) ON H.C.**

Extension of time granted

Petitioner's request for relief from default is granted.

Good cause appearing, and based upon counsel Robert R. Bryan's representation that he anticipates filing the response to the exceptions to the findings of the referee and brief on the merits by June 1, 2010, counsel's request for an extension of time in which to file that brief is granted to June 1, 2010. After that date, no further extension is contemplated.

**S083594**

**PEOPLE v. TRUJEQUE  
(TOMMY ADRIAN)**

Extension of time granted

Good cause appearing, and based upon counsel Deputy State Public Defender Christina A. Spaulding's representation that she anticipates filing the appellant's opening brief by December 2010, counsel's request for an extension of time in which to file that brief is granted to July 26, 2010. After that date, only three further extensions totaling about 150 additional days are

contemplated.

**S086269**

**PEOPLE v. JACKSON  
(JONATHAN KEITH)**

Extension of time granted

Appellant's request for relief from default is granted.

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to July 6, 2010.

**S095223**

**PEOPLE v. BLOOM  
(ROBERT MAURICE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender William T. Lowe's representation that he anticipates filing the appellant's opening brief by June 19, 2010, counsel's request for an extension of time in which to file that brief is granted to June 21, 2010. After that date, no further extension is contemplated.

**S096438**

**CARTER (TRACEY LAVELL)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Ronald S. Smith's representation that he anticipates filing the traverse to the order to show cause by January 11, 2011, counsel's request for an extension of time in which to file that document is granted to July 19, 2010. After that date, only three further extensions totaling about 180 additional days are contemplated.

**S097668**

**PEOPLE v. SHERMANTINE,  
JR., (WESLEY HOWARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 23, 2010.

**S113653**

**PEOPLE v. HOYT (RYAN  
JAMES)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 13, 2010.

**S122123****PEOPLE v. RODRIGUEZ  
(ANGELINA)**

Extension of time granted

Good cause appearing, and based upon counsel Karen Kelly's representation that she anticipates filing the appellant's opening brief by August 15, 2010, counsel's request for an extension of time in which to file that brief is granted to July 15, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S122123****PEOPLE v. RODRIGUEZ  
(ANGELINA)**

Application to file over-length brief granted

Appellant's application for permission to file an overlength opening brief is granted.

**S130524****PEOPLE v. GOVIN  
(VIRENDRA)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 20, 2010.

**S139103****PEOPLE v. JACKSON  
(BAILEY LAMAR)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 19, 2010.

**S151362****BELL (STEVEN M.) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Miro F. Cizin's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 30, 2010, counsel's request for an extension of time in which to file that document is granted to July 30, 2010. After that date, no further extension is contemplated.



**S157098****BUNYARD (JERRY  
THOMAS) ON H.C.**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to July 9, 2010. After that date, no further extension is contemplated.

**S171297****DePRIEST (TIMOTHY LEE)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Patricia Young's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 21, 2010, counsel's request for an extension of time in which to file that document is granted to July 21, 2010. After that date, no further extension is contemplated.

**S179378** A125496/A125714 First Appellate District, Div. 4 **TARRANT BELL PROPERTY  
LLC. v. S.C. (ABAYA)**

Extension of time granted

On application of petitioners and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 21, 2010.

**S180692****SCOTT (JAMES ROBERT)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Margo A. Rocconi's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 23, 2010, counsel's request for an extension of time in which to file that document is granted to July 23, 2010. After that date, no further extension is contemplated.

**S008621****PEOPLE v. MENDOZA  
(MANUEL)**

Motion for access to sealed record granted

The "Application for Release of Files, Records and any Confidential Materials," filed on November 9, 2009, by the counsel for petitioner appointed by the Federal District Court of the Central District of California, is granted as follows:

Federal counsel is granted access to the records in *People v. Manuel Mendoza* (S008621), including all of the confidential and sealed materials.

Federal counsel is also granted access to the records in *In re Manuel Mendoza* (S0165595).

The trial court exhibits are not lodged with this court but remain in the superior court and access

to those materials therefore should be sought in the superior court.

Federal counsel must supply the personnel and equipment necessary to undertake this examination and copying of the records of this court, which must occur on the premises of this court.

It is ordered that counsel not release or cause to be released any of the confidential or sealed materials, or the information contained therein. If counsel wishes to quote, cite, disclose, or describe the confidential or sealed material in any court papers, those papers must themselves be filed under seal. (See Cal. Rules of Court, rule 8.46(g).)

The sealed transcripts of in camera proceedings that took place in the Los Angeles County Superior Court on March 23, 1988 (RT 260), May 4, 1988 (RT 3472-3485), May 23, 1998 (RT 4080-4083), and May 24, 1998 (RT 4243-4246), were not included in the certified record on appeal filed in this court. Federal counsel may contact the Office of the State Public Defender regarding these transcripts.

**S064733**

**PEOPLE v. ABEL (JOHN  
CLYDE)**

Motion for access to sealed record granted

Respondent's "Motion for Access to Sealed Penal Code Section 987.9 Materials, and Sealed Transcript Filed in Case Number S064733 For Use in the Pending State Habeas Proceeding," filed on February 25, 2010, is granted in part. Counsel for respondent is granted access to the following sealed portions of the record on appeal:

- 1) Sealed volume of the Clerk's Transcript captioned "987.9 material"; and
- 2) Sealed Clerk's Transcript pages 229-233 (March 1, 1996, order captioned "re: paymt of addit'l fees purs. to 987.9").

The clerk is directed to send a copy of the above referenced transcripts to counsel under seal.

Unless otherwise ordered by this court, the sealed documents described in this order are to remain under seal, and to the extent the parties quote, disclose, or describe these materials in any court papers, those papers must be filed or lodged under seal, for which permission must first be sought under the California Rules of Court, rule 8.46.

On the court's own motion, the clerk is directed to unseal the Reporter's Transcript of the June 16, 1997, in camera hearing, pages 1-4, and send a copy to counsel. Respondent's motion for access with respect to the June 16, 1997, transcript is denied as moot.

In light of our unsealing the June 16, 1997, transcript, appellant's "Application for Leave to File Under Seal Supplemental Opposition to Respondent's Motion for Access to Sealed Transcript," filed in April 27, 2010, is denied as moot. The clerk is directed to return the lodged supplemental opposition to appellant unless appellant notifies the clerk, in writing within 10 days of the filing of this order, that he wishes to file the supplemental opposition as a public document.

**S049596****PEOPLE v. BRYANT  
(STANLEY), SMITH  
(DONALD FRANKLIN), &  
WHEELER (LEROY)**

Order filed

The order filed on May 20, 2010, is hereby amended to read in its entirety;

“THE COURT:

The Honorable Charles W. McCoy, Jr., Presiding Judge of the Superior Court of California, County of Los Angeles, is directed to select a Judge of the Los Angeles County Superior Court to sit as a referee in this proceeding and promptly to notify this court of the referee selected. After appointment by this court, the referee will supervise discovery, appoint, if necessary, one or more experts, take evidence, and make findings of fact and recommendations on the following questions regarding the case of *People v. Stanley Bryant, Donald Franklin Smith, and Leroy Wheeler* (Los Angeles County Superior Court Nos. A711739 and A713611; Judge Charles H. Horan): whether (1) defendant Leroy Wheeler is presently unable, as a result of mental disorder, to understand the nature of defense counsel’s attempts to investigate grounds for the filing of a petition for a writ of habeas corpus; and (2) defendant Wheeler’s counsel, Conrad Petermann, should be appointed as guardian ad litem for the purpose of preparing and pursuing defendant Wheeler’s habeas corpus petition. The referee’s findings and recommendations must be based solely on the record of the proceedings before the referee.

Defendant’s request to file under seal defendant’s Ex Parte Motion for Cell-Side Access to Client, “Ex Parte Motion for Appointment of Appellant’s Counsel, Conrad Petermann, as Guardian Ad Litem for Appellant in the Pursuit of Appellant’s Habeas Corpus Relief in this Court,” and the exhibits attached thereto, conditionally lodged under seal in this court on December 28, 2009, is granted. The Clerk is directed to file under seal these motions and exhibits.

Defendant’s above-mentioned “Ex Parte Motion for Cell-Side Access to Client” filed this date and his “Motion to Toll the Time Within Which the Contemplated Petition for Writ of Habeas Corpus Will be Presumed to be Filed Without Substantial Delay,” filed on December 28, 2009, are denied.”

**S081148****PEOPLE v. JENNINGS  
(MARTIN CARL)**

Order filed

The request of counsel for appellant in the above-referenced cause to allow two counsel to argue on behalf of appellant at oral argument is hereby granted.

The request of appellant to allocate to Gregory R. Marshall 15 minutes and Eric Stephen Multhaup 15 minutes of appellant’s 30-minute allotted time for oral argument is granted.

**S049596****PEOPLE v. BRYANT  
(STANLEY), SMITH  
(DONALD FRANKLIN), &  
WHEELER (LEROY)**

Reference hearing ordered

THE COURT:

The Honorable Charles W. McCoy, Jr., Presiding Judge of the Superior Court of California, County of Los Angeles, is directed to select a Judge of the Los Angeles County Superior Court to sit as a referee in this proceeding and promptly to notify this court of the referee selected. After appointment by this court, the referee will supervise discovery, appoint, if necessary, one or more experts, take evidence, and make findings of fact and recommendations on the following questions regarding the case of *People v. Stanley Bryant, Donald Franklin Smith, and Leroy Wheeler* (Los Angeles County Superior Court Nos. A711739 and A713611; Judge Charles H. Horan): whether (1) defendant Leroy Wheeler is presently unable, as a result of mental disorder, to understand the nature of defense counsel's attempts to investigate grounds for the filing of a petition for a writ of habeas corpus; and (2) defendant Wheeler's counsel, Conrad Petermann, should be appointed as guardian ad litem for the purpose of preparing and pursuing defendant Wheeler's habeas corpus petition. The referee's findings and recommendations must be based solely on the record of the proceedings before the referee.

Defendant's request to file under seal defendant's "Ex Parte Motion for Cell-Side Access to Client," "Ex Parte Motion for Appointment of Appellant's Counsel, Conrad Petermann, as Guardian Ad Litem for Appellant in the Pursuit of Appellant's Habeas Corpus Relief in this Court," and the exhibits attached thereto, conditionally lodged under seal in this court on December 28, 2009, is granted. The Clerk is directed to file under seal these motions and exhibits.

Defendant's above-mentioned "Ex Parte Motion for Cell-Side Access to Client" and his "Motion to Toll the Time Within Which the Contemplated Petition for Writ of Habeas Corpus Will be Presumed to be Filed Without Substantial Delay," filed on December 28, 2009, are denied.

**S181744**

Petition denied

(accusation)

**ACCUSATION OF DING****S181764**

Petition denied

(accusation)

**ACCUSATION OF INSINGER****S181819**

Petition denied

(accusation)

**ACCUSATION OF LYNEX**

**S181032****McKEE ON DISCIPLINE**

Recommended discipline imposed

The court orders that SCOTT CUMMINGS McKEE, State Bar Number 154077, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. SCOTT CUMMINGS McKEE is suspended from the practice of law for the first 60 days of probation;
2. SCOTT CUMMINGS McKEE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 22, 2009; and
3. At the expiration of the period of probation, if SCOTT CUMMINGS McKEE has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

SCOTT CUMMINGS McKEE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If SCOTT CUMMINGS McKEE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S181033****MALVEAUX ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID GILLESPIE MALVEAUX, State Bar Number 224220, is suspended from the practice of law in California for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. DAVID GILLESPIE MALVEAUX must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 27, 2010; and
2. At the expiration of the period of probation, if DAVID GILLESPIE MALVEAUX has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID GILLESPIE MALVEAUX must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S182688****AGUIRRE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RAQUEL E. AGUIRRE, State Bar Number 80881, as a member of the State Bar of California is accepted.

**S182690****DROWN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DANIEL DAVIS DROWN, State Bar Number 74337, as a member of the State Bar of California is accepted.

**S182691****CROCKETT ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RALPH DARRELL CROCKETT, State Bar Number 47629, as a member of the State Bar of California is accepted.

**S182692****FONG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WAYNE MARTIN FONG, State Bar Number 158172, as a member of the State Bar of California is accepted.

**S182693****HARDY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JANE ELIZABETH HARDY, State Bar Number 73626, as a member of the State Bar of California is accepted.

